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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,277	04/19/2004	Jeyhan Karaoguz	1875.4890000	9921

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EXAMINER	
HANCE, ROBERT J	

ART UNIT	PAPER NUMBER
2421	

MAIL DATE	DELIVERY MODE
06/30/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/826,277	KARAOGUZ ET AL.	
	Examiner	Art Unit	
	ROBERT HANCE	2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11,13-16 and 40-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11,13-16 and 40-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/15/2010 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1+ have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Thorsteinsson, US Pub No. 2003/0105854.

As to claim 1 Thorsteinsson discloses an integrated control system for providing hierarchical control of distributed home entertainment electronic devices, comprising:

a remote interface (Fig. 1: 110) configured to receive a remote control signal that includes a request for an action to be performed at one of the distributed electronic devices (Fig. 9: 901; [0106] – an event from the client site is a button press on a remote control, which includes a request for an action to be performed at the television);

a device database configured to store device information for the distributed electronic devices ([0067]; [0072] – client site context contains information about all devices at the client site);

a controller (Fig. 1: 106) configured to receive the request for the action be performed at one of the distributed electronic devices ([0106]; Fig. 9: 902) and to generate management instructions to adjust the distributed electronic devices responsive to the action to be performed at the one of the distributed electronic devices and the device information (Fig. 9: 907; [0106]);

a translator (Fig. 9: control adaptor 917) configured to translate the management instructions into management messages that are encoded based on communication protocols supported by the distributed electronic devices ([0063] – generic commands are converted into device- and network-specific commands by the control adaptor); and

at least one communications interface configured to transmit the management messages to the distributed electronic devices ([0106] – commands are issued to the client site via a wide-area network).

As to claim 9 Thorsteinsson discloses A method for providing hierarchical control of distributed home entertainment electronic devices, comprising:

receiving a remote control signal that includes a request for an action to be performed at one of the distributed electronic device (Fig. 9: 901; [0106] – an event from the client site is a button press on a remote control, which includes a request for an action to be performed at the television);

accessing device information for the distributed electronic devices ([0067]; [0072] – client site context contains information about all devices at the client site);

generating management instructions to adjust the distributed electronic devices in response to the action to be performed at the one of the electronic devices and the device information (Fig. 9: 907; [0106]);

translating the management instructions into management messages that are encoded based on the communication protocols supported by the distributed electronic devices ([0063] – generic commands are converted into device- and network-specific commands by the control adaptor); and

transmitting the management messages to the distributed electronic devices ([0106] – commands are issued to the client site via a wide-area network).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-4, 6-8, 16, 40, 42, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson in view of Park (of record).

As to claim 2 Thorsteinsson fails to disclose the integrated control system of claim 1, wherein the at least one communications interface includes a wireless interface.

However, in an analogous art, Park discloses an integrated control system wherein a communications interface includes a wireless interface ([0046]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Thorsteinsson with the teachings of Park, the rationale being to have the section of the communications interface within the home be without wires, thereby increasing user convenience by enabling users to avoid placing wires throughout the house.

As to claim 3 the combined system of Thorsteinsson and Park discloses the integrated control system of claim 2, wherein the wireless interface is an IEEE 802.11 interface (Park [0158]).

As to claim 4 the combined system of Thorsteinsson and Park discloses the integrated control system of claim 2, wherein the wireless interface is a Bluetooth interface (Park [0158]).

As to claim 6 the combined system of Thorsteinsson and Park discloses the integrated control system of claim 1, wherein the at least one communications interface includes a wireline interface (Park [0048]).

As to claim 7 the combined system of Thorsteinsson and Park discloses the integrated control system of claim 6, wherein the at least one communications interface includes a powerline interface (Park [0049]).

As to claim 8 the combined system of Thorsteinsson and Park discloses the integrated control system of claim 1, wherein the at least one communications interface includes both a wireline and a wireless interface (Park [0048]; Figs. 1-2).

As to claim 16 the combined system of Thorsteinsson and Park disclose the method of claim 44, wherein the wireless protocols include Bluetooth (Park [0158]).

As to claim 40 the combined system of Thorsteinsson and Park disclose the method of claim 9, wherein accessing the device information includes accessing

capabilities and status information for the distributed electronic devices (Park [0088] – IDs are given according to type of appliance, therefore the ID contains information regarding an appliance's capabilities and status).

As to claim 42 the combined system of Thorsteinsson and Park disclose the method of claim 9, wherein accessing the device information includes accessing, for each of the distributed electronic devices, a supported communication protocol (Thorsteinsson [0063] - commands are translated into network-specific commands. Therefore each command to each device is sent according to a supported communication protocol).

As to claim 45 the combined system of Thorsteinsson and Park disclose the method of claim 9, further comprising:

prior to generating the management instructions, interpreting the remote control signal to determine the action to be performed at the distributed electronic device (Park [0093]).

As to claim 46 the combined system of Thorsteinsson and Park disclose the integrated control system of claim 1, wherein the controller is configured to access the device information to generate the management instructions (Park [0060]-[0062]).

As to claim 47 the combined system of Thorsteinsson and Park disclose the integrated control system of claim 46, wherein the device information includes capabilities and status information for the distributed electronic devices. (Park [0088] – IDs are given according to type of appliance, therefore the ID contains information regarding an appliance's capabilities: Harris col. 7 lines 49-59 – current state data (status) is accessed).

1. Claims 5 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson and Park, as applied to claims 2 and 44 above, and further in view of Willes et al., US Pub No. 2005/0117052.

As to claims 5 and 13-15, while the combined system of Thorsteinsson and Park disclose that communications conform to the standards in the IEEE 802.11 family and other wireless protocols (Park Paragraph 158), it is not specifically stated which standards are being used.

However, In an analogous art, Willes et al. disclose a wireless video distribution network which employs IEEE protocols 802.11b, 802.11e and 802.15.3a (Paragraph 63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the wireless protocols disclosed by Willes et al. in the home entertainment control system of Thorsteinsson and Park. The rationale for this

combination would have been to not limit the system to any one type of communication protocol.

2. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson in view of Applicant's Admitted Prior Art (AAPA).

As to claim 11 Thorsteinsson fails to disclose the method of claim 9, wherein accessing the device information includes accessing a unique identifier for a device that is used to route management messages.

However, AAPA discloses (see Remarks, filed 6/15/2010, Applicant's failure to traverse Examiner's assertion of official notice in the Office Action mailed 3/15/2010) that accessing a unique identifier for a device that is used to route management messages was well known in the art at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Thorsteinsson by accessing a unique identifier for a device that is used to route management messages. The rationale for this modification would have been to ensure that the message is received by the proper device.

3. Claims 43-44, 48, 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson and Park as applied to claim 42 above, and further in view of Lo (of record).

As to claim 43 the combined system of Thorsteinsson and Park fail to disclose the method of claim 42, further comprising: encoding each management message based on the supported communication protocol of the distributed electronic device to which the management message is transmitted.

However, in an analogous art, Lo discloses encoding each management message based on the supported communication protocol of the distributed electronic device to which the management message is transmitted ([0026]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Thorsteinsson and Park with the teachings of Lo, the rationale being to ensure the proper reception of commands at each device.

As to claim 44 the combined system of Thorsteinsson, Park and Lo disclose the method of claim 43, wherein supported communication protocols include both wireless and wireline communication protocols (Lo Fig. 2; Park Fig. 2).

As to claim 48 the combined system of Thorsteinsson, Park and Lo disclose the integrated control system of claim 46, wherein the device information includes routing information for the distributed electronic devices (Lo [0038]-[0039]; Fig. 6).

As to claim 50 the combined system of Thorsteinsson, Park and Lo disclose the integrated control system of claim 46, wherein the device information identifies, for each of the distributed electronic devices, a supported communication protocol (Lo [0026]).

As to claim 51 the combined system of Park, Lo and Harris disclose the integrated control system of claim 50, wherein each management message is encoded based on the supported communication protocol of the distributed electronic device to which the management message is transmitted (Lo [0026]).

4. Claims 41 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson, as applied to claim 9 above, and further in view of Lee, US Pub No. 2003/0227439.

As to claim 41 Thorsteinsson fails to disclose the method of claim 9, wherein accessing the device information includes accessing user preferences for settings of the distributed electronic devices.

However, in an analogous art, Lee et al. disclose a similar system in which a user's preferences regarding the settings of various devices are stored in a database ([0010] and [0037]; Fig. 2a: 24; [0050]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Thorsteinsson with the teachings of Lee. The rationale for this modification would have been to allow a user to personalize the command sequence of Thorsteinsson.

As to claim 49 Thorsteinsson fails to disclose the method of claim 46, wherein accessing the device information includes accessing user preferences for settings of the distributed electronic devices.

However, in an analogous art, Lee et al. disclose a similar system in which a user's preferences regarding the settings of various devices are stored in a database ([0010] and [0037]; Fig. 2a: 24; [0050]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Thorsteinsson with the teachings of Lee. The rationale for this modification would have been to allow a user to personalize the command sequence of Thorsteinsson.

5. Claims 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorsteinsson as applied to claims 1 and 9 above, and in view of Zimmerman, US Pub No. 2003/0007001.

As to claims 52 and 53 Thorsteinsson fails to disclose generating management instructions to adjust the distributed electronic devices based on a change in at least one of an input video signal and audio signal received by one of the distributed electronic devices.

However, in an analogous art, Zimmerman discloses automatically adjusting the settings of distributed electronic devices based on a change in an audio or video input signal received by the distributed electronic devices ([0026]-[0029] – the settings of

display and audio devices are adjusted based on the type of signal (programming) received. This is performed when a new programming type is encountered, which is a change in an input signal. These settings are adjusted by control unit 100 (i.e. by a set top box) and are translated into management instructions that depend on the type and manufacturer of the output devices (see [0029])).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Thorsteinsson with the teachings of Zimmerman, the rationale being to provide viewers with an optimal viewing experience without requiring constant manual adjustment of settings (see Zimmerman [0010]-[0014])

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT HANCE whose telephone number is (571)270-5319. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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